

Hall of the House of Representatives
88th General Assembly - Regular Session, 2011
Amendment Form

Subtitle of House Bill No. 1901

TO AMEND PUBLIC SCHOOL FUNDING AMOUNTS AND PROVIDE RESOURCES FOR
EDUCATIONAL ADEQUACY AND TO DECLARE AN EMERGENCY.

Amendment No. 3 to House Bill No. 1901

Amend House Bill No. 1901 as engrossed, H3/15/11 (version: 3/15/2011 11:24:34 AM)

Page 1, delete line 22 and substitute the following:

"SECTION 1. DO NOT CODIFY. FINDINGS. The General Assembly finds that:

(1) In "A Report on Legislative Hearings for the 2010 Interim Study on Educational Adequacy", the interim House Committee on Education and the interim Senate Committee on Education found that the transportation funding provided in foundation funding is sufficient to meet the State of Arkansas's adequacy requirements with regard to student transportation. They went on to recommend, however, a distribution of funding through an enhanced transportation funding formula for certain school districts that may have high transportation costs. The committees further recommended that money to fund this new program be found by reducing, in part, a recommended increase in foundation funding. The committees made clear in the 2010 interim study report that this recommended enhanced transportation funding was found to be over and above what was required for adequacy;

(2) In the previous biennium, in "A Report on Legislative Hearings for the 2008 Interim Study on Educational Adequacy", the committees found that student transportation may be a necessary component for providing students with an equitable opportunity for an adequate education to the extent that a student would not otherwise be able to realize this opportunity but for such transportation being provided by the state. Analyzing what portion of student transportation is required for adequacy purposes is a highly complex, fact-intensive study. It requires analysis of many factors such as student characteristics, bus routes taken, route miles, and a myriad of other factors. Nonetheless, it is clear from "The Resource Allocation of Foundation Funding for Arkansas School Districts," August 23, 2008, Bureau of Legislative Research, and the 2010 interim study report that the evidence gathered by the committees demonstrated that the amount of revenue provided in foundation funding is sufficient to fund the overall adequacy needs of all school districts;



(3) The 2010 interim study report recommends, essentially, removing a portion of transportation funding contained in the resource matrix used to determine necessary foundation funding levels, and using those funds to provide revenue for transportation to some, but not all, school districts for a program that is not required to maintain educational adequacy; and

(4) The foundation funding formula and the resource matrix on which the foundation funding formula is based have served the state well since they were first used. The formula and the matrix provide a clear, transparent, and easy to understand method for analyzing state funding needs for districts, while allowing districts the flexibility to use such funds to more closely meet unique district needs. The committees' recommendation that the General Assembly depart from this approach jeopardizes this method for determining and meeting school district adequacy needs, a method that the Supreme Court found to be constitutional in 2004 and in 2007. Accordingly, the General Assembly finds and determines that the foundation funding formula and the resource matrix upon which it is built should be maintained and declines to adopt the enhanced transportation funding approach recommended in the 2010 interim study report.

SECTION 2. Arkansas Code § 6-20-2305(a)(2), concerning public school"

AND

Page 5, line 1, delete "(fifty-three dollars (\$53.00))" and substitute "fifty-two dollars (\$52.00)"

AND

Appropriately renumber the remaining sections of the bill

The Amendment was read _____
By: Representative Ingram
CLR/CLR - 03/16/11 11:39
CLR269

Chief Clerk